



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY

REGION 4
ATLANTA FEDERAL CENTER
61 FORSYTH STREET
ATLANTA, GEORGIA 30303-8960

JAN 17 2020

UNITED PARCEL SERVICE
EMAIL VERIFICATION REQUESTED

Mr. Mike Day
Field Supervisor
Southern Energy Corporation
8970 Highway 13 North
New Hebron, Mississippi 39140

Dear Mr. Day:

Pursuant to Section 114(a)(1) of the Clean Air Act (the Act), 42 U.S.C. § 7414(a)(1), you are hereby required to provide the U.S. Environmental Protection Agency with information relating to Southern Energy Corporation (Southern Energy) facilities located in Yazoo County and Jefferson Davis County, Mississippi. This information is needed to determine whether Southern Energy is in compliance with requirements of the Act and its implementing regulations. Section 114(a) of the Act, 42 U.S.C. § 7414(a), authorizes the Administrator of the EPA to require any person who owns or operates an emission source, whom the Administrator believes may have information necessary for the purposes set forth in Section 114(a), or who is subject to any requirement of the Act, to provide such information as the Administrator may reasonably require for the purpose of carrying out any provision of the Act. This authority has been duly delegated to the Director of the Enforcement and Compliance Assurance Division, Region 4.

Please review and follow the instructions and, where required, complete the following enclosures: Instructions (Enclosure 1), Definitions (Enclosure 2), Claiming Confidentiality (Enclosure 3), Questions (Enclosure 4), and Statement of Certification (Enclosure 5).

The requested information shall be submitted to the EPA per Enclosure 1. The responses shall be submitted **no later than thirty (30) calendar days** after Southern Energy's receipt of this letter as determined by the date of the Email Verification, unless the EPA, for good cause shown, extends in writing the deadline for responding to the request. This information must be submitted to the following individual:

Mr. Denis B. Kler
Air Enforcement Branch
U.S. EPA, Region 4
Atlanta Federal Center
61 Forsyth Street, S.W.
Atlanta, Georgia 30303

Failure to comply fully with this request for information is a violation of Section 114 of the Act and may subject you to an enforcement action under Section 113 of the Act, 42 U.S.C. § 7413, for the recovery of civil penalties not to exceed \$97,229 per day of violation, or for injunctive relief or both. Section 113 of

the Act gives the EPA the authority to seek criminal penalties from any person who knowingly makes any false statement, representation, or certification in any report required under the Act. Under Section 114(c) of the Act, 42 U.S.C. § 7414(c), and pursuant to the regulations found at 40 C.F.R. Part 2, Subpart B, including 40 C.F.R. § 2.301, you are entitled to assert a claim of business confidentiality for any information you provide to the EPA that involves trade secrets and which Southern Energy regards as confidential business information (CBI). For such information, you may request that the EPA treat such information as confidential. Any such claim of confidentiality must conform to the requirements of 40 C.F.R. § 2.203(b). Note that "emission data," as defined by 40 C.F.R. § 2.301(a)(2), cannot be claimed as confidential under Section 114(c) of the Act, 42 U.S.C. § 7414(c). For detailed instructions for claiming confidentiality, please see Enclosure 3. Information you supply under a claim of confidentiality will be treated in accordance with 40 C.F.R. Part 2, Subpart B, and will be disclosed by the EPA only to the extent, and by means of the procedures, set forth in 40 C.F.R. Part 2, Subpart B. If no such claim accompanies the information when it is received by the EPA, it may be made available to the public by the EPA without further notice to Southern Energy. Please note that any confidentiality claim does not obviate the need to send that portion of the response to the EPA.

The response to the information requested must be accompanied by Enclosure 5, Statement of Certification, which is to be signed and dated by a responsible official of Southern Energy. This statement certifies that the response submitted to the EPA is complete and contains all documents and information responsive to this request that are known to you, following a complete and thorough review of all information and sources available to you.

This request is not subject to the Paperwork Reduction Act, 44 U.S.C. §§ 3501 – 3520, because it seeks information from specific individuals or entities as part of an investigation.

If you have any questions regarding this matter, please contact Mr. Denis B. Kler at (404) 562-9134 or Ms. Carrie Griffith at 404-562-9175.

Sincerely,



Carol L. Kemker
Director

Enforcement and Compliance Assurance Division

Enclosures

cc w/ enclosures: Jay Barkley, MDEQ

ENCLOSURE 1

Instructions

Each of the following instructions applies to each and every question contained in Enclosure 4.

1. Provide a complete, detailed response, in English, to each Request in Enclosure 4. Provide a separate response to each and every question, and each and every subpart of a question.
2. Provide your response to all questions of this Information Request in **electronic form** on a disk (CD or DVD media), flash drive, hard drive, or similar data storage device. All responsive documents and materials (e.g. copies of print media, audio, and visual material) must be provided as an accurate and legible copy in searchable Portable Document Format (PDF) or a similar format, unless otherwise requested in specific questions. Do not create separate files for each page of a single document.
3. For Request 10, provide the data and corresponding information in editable spreadsheet or database format, such as for Microsoft Excel or Access, and not in image format.
4. Provide a table of contents for each data storage device containing documents submitted in response to the Request so that each document can be accurately identified in relation to your response to a specific question. We recommend the use of electronic file folders organized by question number.
5. Identify each person whom you relied on or consulted with in preparing your responses to each question of this information request. Provide their name, title, job duties, and duration of employment with the company. If they are not an employee of the company, identify their employer and provide their name, title, job duties, and duration of employment with their employer.
6. Identify each document consulted, examined, or referred to in the preparation of your response or that contains information responsive to the question, and provide a true and correct copy of each such document if not provided in response to another specific question.
7. If requested information or documents are not known or are not available to you at the time of your response to this information request, but later become known or available to you, you must supplement your response to the EPA within 30 calendar days of discovery of the responsive information. Moreover, should you find at any time after submission of your response that any portion is or becomes false, incomplete or misrepresents the facts, you must provide the EPA with a corrected response as soon as possible.

ENCLOSURE 2

Definitions

1. The term "document" means written documentation of any kind, including documentation solely in electronic form. It includes any document in the possession or control of the company or the possession or control of any person or entity hired by the company.
2. The terms "person" or "persons" shall have the meaning set forth in Section 302(e) of the CAA, 42 U.S.C. § 7602(e), and includes an individual, corporation, partnership, association, State, municipality, political subdivision of a State, and any agency, department, or instrumentality of the United States and any officer, agent or employee thereof.
3. The terms "relate to" or "pertain to" (or any form thereof) shall mean constituting, reflecting, representing, supporting, contradicting, referring to, stating, describing, recording, noting, embodying, containing, mentioning, studying, analyzing, discussing, evaluating or relevant to.
4. The terms "you" or "your", as used in each of the questions set forth in the attached Section 114 letter, refers to, and shall mean, the company or corporation with which each addressee of the attached Section 114 letter is affiliated, including its subsidiaries, divisions, affiliates, predecessors, successors, assigns, and its former and present officers, directors, agents, employees, representatives, attorneys, consultants, accountants and all other persons acting on its behalf.
5. The term "Burnside facility" means the natural gas processing plant and all well sites located on the same property as the natural gas processing plant off Highway 433 in Satartia, Mississippi, Yazoo County, which is owned and operated by Southern Energy Corporation.

All terms not defined in this enclosure have their ordinary meaning, unless such terms are defined in the Clean Air Act and/or its implementing regulations, and in which case the statutory and/or regulatory definitions apply. Words in the singular shall be construed in the plural, and vice versa, where appropriate in the context of a particular question or questions. The terms "and" and "or" shall be construed either conjunctively or disjunctively as necessary to bring within the scope of this information request any information which might otherwise be construed to be outside its scope.

ENCLOSURE 3

Confidential Business Information (CBI) Assertion and Substantiation Requirements

A. Assertion Requirements

You may assert a business confidentiality claim covering part or all of the information, other than emissions data and information or data that is otherwise publicly available, as described in 40 C.F.R. § 2.203(b). If no business confidentiality claim accompanies the information when it is received by the EPA, the EPA may make the information available to the public without further notice. To make a confidentiality claim, submit the requested information and indicate that you are making a claim of confidentiality. Any information over which you make a claim of confidentiality should be marked by placing on or attaching to the information, at the time it is submitted to the EPA, a cover sheet, stamped or typed legend, or other suitable form of notice employing language such as “trade secret” or “proprietary” or “business confidential” and a date if any when the information should no longer be treated as confidential. **You must be specific by page, paragraph, and sentence when identifying the information subject to your claim.** Allegedly confidential portions of otherwise non-confidential documents should be clearly identified. Information covered by such a claim will be disclosed by the EPA only to the extent permitted and by means of the procedures set forth by Section 114(c) of the Act, and 40 C.F.R. Part 2, Subpart B.

B. Substantiation Requirements

All confidentiality claims are subject to the EPA verification and must be made in accordance with 40 C.F.R. Part 2, Subpart B. You bear the burden of substantiating your confidentiality claim and must satisfactorily show that disclosure of the information would be likely to cause substantial harm to your business’ competitive position; that you have taken reasonable measures to protect the confidentiality of the information and that you intend to continue to do so; and that the information is not and has not been reasonably obtainable by legitimate means without your consent, among other things. Conclusory allegations will be given little or no weight.

Before the EPA makes a final determination regarding your claim of confidentiality, pursuant to 40 C.F.R. Part 2, Subpart B, the EPA will send you a letter asking you to substantiate fully your CBI claim by answering 11 questions. Your comments in response to these questions will be used by the EPA to determine whether the information has been shown to meet the requirements so as to be entitled to confidential treatment. You must provide the EPA with a response within the number of days set forth in the EPA request letter. Failure to submit your comments within that time will be regarded as a waiver of your confidentiality claim or claims, and the EPA may release the information.

The EPA will ask you to specify which portions of the information you consider confidential. You must be specific by page, paragraph, and sentence when identifying the information subject to your claim. Please note that if a page, document, group or class of documents claimed by you to be confidential contains a significant amount of information which the EPA determines is not confidential, your confidentiality claim regarding that page, document, group or class of documents may be denied. Any information not specifically identified as subject to a confidentiality claim may be disclosed without further notice to you. For each item or class of information that you identify as being confidential, the EPA will ask you to answer the following questions, giving as much detail as possible, as conclusory allegations will be given little or no weight in the EPA’s determination:

1. For what period of time do you request that the information be maintained as confidential, e.g., until a certain date, until the occurrence of a specified event, or permanently? If the occurrence of a specific event will eliminate the need for confidentiality, please specify that event.
2. Information submitted to the EPA becomes stale over time. Why should the information you claim as confidential be protected for the time period specified in your answer to question #1?
3. What measures have you taken to protect the information claimed as confidential? Have you disclosed the information to anyone other than a governmental body or someone who is bound by an agreement not to disclose the information further? If so, why should the information be considered confidential?
4. Is the information contained in any publicly available material such as the Internet, publicly available databases, promotional publications, annual reports, or articles? If so, specify which.
5. Is there any means by which a member of the public could obtain access to the information? Is the information of a kind that you would customarily not release to the public?
6. Has any governmental body made a determination as to the confidentiality of the information? If so, please attach a copy of the determination.
7. For each item or category of information claimed as confidential, explain with specificity why release of the information is likely to cause substantial harm to your competitive position. Explain the specific nature of those harmful effects, why they should be viewed as substantial, and the causal relationship between disclosure and such harmful effects. How could your competitors make use of this information to your detriment?
8. Do you assert that the information is submitted on a voluntary or a mandatory basis? Please explain the reason for your assertion. If you assert that the information is voluntarily submitted information, please explain whether the information is the kind that would customarily not be released to the public.
9. Whether you assert the information as voluntary or involuntary, please address why disclosure of the information would tend to lessen the availability to the EPA of similar information in the future.
10. If you believe any information to be (a) trade secret (s), please so state and explain the reason for your belief. Please attach copies of those pages containing such information with brackets around the text that you claim to be (a) trade secret (s).
11. Explain any other issue you deem relevant (including, if pertinent, reasons why you believe that the information you claim to be CBI is not emission data).

Please note that emission data provided under Section 114 of the Act, 42 U.S.C. § 7414, is not entitled to confidential treatment under 40 C.F.R. Part 2. "Emission data" means, with reference to any source of emission of any substance into the air - (A) information necessary to determine the identity, amount, frequency, concentration, or other characteristics (to the extent related to air quality) of any emission which has been emitted by the source (or of any pollutant resulting from any emission by the source), or any combination of the foregoing; (B) information necessary to determine the identity, amount,

frequency, concentration, or other characteristics (to the extent related to air quality) of the emissions which, under an applicable standard or limitation, the source was authorized to emit (including, to the extent necessary for such purposes, a description of the manner and rate of operation of the source); and (C) a general description of the location and/or nature of the source to the extent necessary to identify the source and to distinguish it from other sources (including, to the extent necessary for such purposes, a description of the device, installation, or operation constituting the source). 40 C.F.R. §§ 2.301(a)(2)(i)(A), (B) and (C).

ENCLOSURE 4

Information Request Questions

You are hereby required, in accordance with Section 114(a) of the Clean Air Act, 42 U.S.C. § 7414(a), to provide the following information.

1. Provide a list of all well sites that are owned by or associated with the Southern Energy Corporation that are located in the State of Mississippi and that are subject to the requirements of 40 C.F.R. Part 60 Subpart OOOOa.
2. Provide the information listed below for each well site Williams 9-12; Dale 23-13 #1; Dale 25-11 #2; Gwinville 10-16 #1; Gwinville 18-4 #1; Gwinville 29-15 #1; Gwinville 30-2 #2; Gwinville 30-14 #1; Magee 36-3 #1; Mechanicsburg 9-6 #1; and Mechanicsburg 9-7 #2.
 - a. The date the well initially began operation,
 - b. The date the well was hydraulically fractured and/or refractured,
 - c. Copies of the well completion operation records for each well site from 2016 to present (see 40 CFR 60.5375a(b) and 60.5420a(c)),
 - d. Copies of the NSPS OOOOa notifications that were submitted to the Mississippi Department of Environmental Quality (MDEQ) and/or the EPA for each well site from January 2016 to present (see 40 CFR 60.5420a(a)),
 - e. Copies of the NSPS OOOOa annual reports that were submitted to MDEQ and/or the EPA for each well site from January 2016 to present (see 40 CFR 60.5420a(b)),
 - f. Copies of the NSPS OOOOa emissions monitoring plans (see 40 CFR 60.5397a(b)-(d) and 60.5420a(c)(15)),
 - g. Copies of the NSPS OOOOa initial monitoring surveys (see 40 CFR 60.5397a(f) and 40 CFR 60.5410a(j)), and
 - h. Copies of the NSPS OOOOa monitoring surveys from January 2016 to present (see 40 CFR 60.5397a(g) and 40 CFR 60.5420a(c)(15)).
3. Provide the information listed below for each pneumatic pump located at well site Dale 23-13 #1; Dale 25-11 #2; Gwinville 10-16 #1; Gwinville 18-4 #1; Gwinville 29-15 #1; Gwinville 30-2 #2; Gwinville 30-14 #1; Magee 36-3 #1; Mechanicsburg 9-6 #1; and Mechanicsburg 9-7 #2.
 - a. The pump manufacturer, model number, serial number, and manufacturer's design specifications; and
 - b. Copies of the NSPS OOOOa pump certification and engineering assessments (see 40 CFR 60.5393a(b) and 60.5420a(c)(16)).
4. Provide the information listed below for the combustor located on the well pads associated with well sites Ramsay Williams 9-7 and Mechanicsburg 9-6 and 9-7.
 - a. A discussion as to why the combustor was installed, which includes but not limited to the corresponding regulatory requirements that are associated with the well sites and the combustor;
 - b. The name of manufacturer, the model number, and the manufacturer's design specifications of the combustor;
 - c. The date the combustor began operation;
 - d. A list of equipment that is vented and controlled by the combustor;

- e. Copies of the calculations and supporting information used to design and size the combustor;
 - f. Copies of the calculations and supporting information used to design the closed vent systems; and
 - g. Copies of any performance tests and any other compliance demonstrations for the combustor.
5. Provide engineering process flow diagrams (PFDs) for each oil storage tank, produced water storage tank, and emission control device located at the Burnside facility. The PFDs shall include any tank vapor capture systems and identify the location of each gas blanketing regulator, pressure relief valve, pressure vent, vacuum vent, conservation vent, emergency vent, flame arrestor, and thief hatch installed on each storage tank and connecting vent system(s).
6. For each oil storage tank and produced water storage tank located at the Burnside facility, including those in service for the Williams 9-12 well, provide a table that identifies the tank and lists the following information for the tank:
- a. Dimensions,
 - b. Capacity,
 - c. Year of construction,
 - d. Contents of the tank, including a safety data sheet (SDS), and
 - e. True vapor pressure of the contents of the tank.
7. For the Control Flare located at the Burnside facility, provide the following information:
- a. Description of the flare, including but not limited to, make, model, serial number, and whether the flare is assisted or unassisted;
 - b. Copies of the manufacturer's recommendations for operation and maintenance;
 - c. Copies of the flare pilot light records for January 2019 through December 2019;
 - d. Copies of all flare gas analysis reports from 2014 to present;
 - e. A discussion of how the net heating value of the combustion gas mixture to the Control Flare is determined to be in compliance at all times when emissions may be vented to the flare (see 11 Miss. Admin. Code Pt. 2, R. 2.2.B(10)); and
 - f. Copies of any performance tests and any other compliance demonstrations for the Control Flare.
8. Provide a copy of the facility's maintenance/mechanical integrity program/plan for the oil storage tanks, produced water storage tanks, closed vent system, and emission control devices located at the Burnside facility. If you do not have a written plan, provide a narrative description of your maintenance/mechanical integrity procedures for the oil storage tanks, produced water storage tanks, closed vent system, and emission control devices. If you use a contractor for this service, provide the name of the contractor, their contact information, and a copy of the contract between the contractor and the facility.
9. For the past five years, provide all inspection, maintenance, repair, and mechanical integrity records (including work orders) for each oil storage tank, produced water storage tank, closed vent system, and emission control device located at the Burnside facility. Indicate whether the work was completed by facility personnel or a contractor. If the work was completed by a contractor, also provide a complete copy of the corresponding report.

10. Provide a narrative description of Southern Energy's leak detection and repair (LDAR) program, including a list of all sites which are monitored. For all sites monitored, provide a complete copy of the LDAR database files, in electronic spreadsheet or database format, from 2014 to the present. The LDAR database should include, but not be limited to, tables such as the leak monitoring, component list, and leak repair table.
11. Provide a list of all industry/trade association standards which apply to the Burnside facility and each well site that is owned by or associated with the Southern Energy Corporation and located in the State of Mississippi, including those which are not subject to 40 C.F.R. Part 60 Subpart OOOOa.
12. During the on-site evaluations conducted in April 2019, the EPA inspection team utilized an optical gas imaging device and identified various sources of fugitive emissions. Copies of the optical gas images and videos were sent to the company on May 23, 2019. Provide a summary of any actions taken to correct the fugitive emissions, the date the actions were taken, any actions taken to verify the corrections were successful, and any actions taken to prevent future occurrences.

ENCLOSURE 5

Statement of Certification

I certify that I have examined and am familiar with the information in the enclosed documents, including all attachments. Based on my personal inquiry of those individuals with primary responsibility for obtaining the information, I certify that the statements and information are, to the best of my knowledge and belief, true and complete. I am aware that there are significant penalties for knowingly submitting false statements and information, including the possibility of fines or imprisonment pursuant to Section 113(c)(2) of the Act, 42 U.S.C. § 7413(c)(2), and 18 U.S.C. §§ 1001, 1341 and 1505.

(Signature)

(Printed Name)

(Title)

(Date)